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Counsel for The Dugaboy Investment Trust

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re

**HIGHLAND SELECT EQUITY MASTER
FUND, L.P.**

Debtor.

§
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Case No. 23-31037-swe7

(Chapter 7)

**DECLARATION OF DEBORAH DEITSCH-PEREZ IN SUPPORT OF CREDITOR THE
DUGABOY INVESTMENT TRUST'S OBJECTION TO DEBTOR'S MOTION TO
TRANSFER/REASSIGN CASE**

Deborah Deitsch-Perez, pursuant to 28 U.S.C. § 1746(a), under penalty of perjury,
declares as follows:

1. I am a member of the law firm of Stinson LLP, counsel to Defendant The Dugaboy Investment Trust, and I submit this Declaration in support of *Creditor Dugaboy Investment Trust's Objection to Debtor's Motion to Transfer/Reassign Case* ("Appendix"), which is being filed concurrently with this Declaration. I submit this Declaration based on my personal knowledge and the documents listed below.

2. Attached as **Exhibit 1** to the Appendix is a true and correct copy of *James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, The Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company's Motion to Recuse Pursuant to 28, U.S.C. § 455, Dkt. 2060 in Case No. 19-34054-sgj11, dated March 18, 2021.*

3. Attached as **Exhibit 2** to the Appendix is a true and correct copy of *James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company's Amended Motion for Final Appealable Order and Supplement to Motion to Recuse Pursuant to 28 U.S.C. §455 and Brief in Support, Dkt. 3470 in Case No. 19-34054-sgj11, dated August 26, 2022.*

4. Attached as **Exhibit 3** to the Appendix is a true and correct copy of *Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455, Dkt. 3570 in Case No. 19-34054-sgj11, dated October 17, 2022.*

5. Attached as **Exhibit 4** to the Appendix is a true and correct copy of *Movants' Supplemental Memorandum of Law in Support of Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455, Dkt. 3673 in Case No. 19-34054-sgj11, dated March 2, 2023.*

6. Attached as **Exhibit 5** to the Appendix is a true and correct copy of the Opinion Letter of Professor Steve Leben dated July 6, 2023.

7. Attached as **Exhibit 6** to the Appendix is a true and correct copy of *Order Authorizing the Filing of a Lawsuit by Dugaboy Investment Trust in New York, Dkt. 3373 in Case No. 19-34054-sgj11, dated June 22, 2022.*

8. Attached as **Exhibit 7** to the Appendix is a true and correct copy of the PACER Docket for Case No. 1:23-cv-01636-MKV as of the date of this filing.

9. Attached as **Exhibit 8** to the Appendix is a true and correct copy of *Suggestion of Bankruptcy*, Dkt. 16 in Case No. 1:23-cv-01636-MKV, dated June 5, 2023.

10. Attached as **Exhibit 9** to the Appendix is a true and correct copy of the January 9, 2020 Hearing Transcript (excerpted) in Case No. 19-34054-sgj11.

11. Attached as **Exhibit 10** to the Appendix is a true and correct copy of PACER confirmation of Judge assigned to the Acis Bankruptcy (Case No. 18-30265-SGJ-11).

12. Attached as **Exhibit 11** to the Appendix is a true and correct copy of *Bench Ruling and Memorandum of Law in Support of: (A) Final Approval of Disclosure Statement; and (B) Confirmation of Chapter 11 Trustee's Third Amended Joint Plan*, Dkt. 827 in Case No. 18-30265-SGJ-11, dated January 31, 2019.


13. Attached as **Exhibit 12** to the Appendix is a true and correct copy of *Order Denying Motion to Recuse, Pursuant to 28 U.S.C. §455*, Dkt. 2083 in Case No. 19-34054-sgj11, dated March 23, 2021.

14. Attached as **Exhibit 13** to the Appendix is a true and correct copy of *Order Denying Amended Motion of James Dondero, Highland Capital Management Fund Advisors, L.P., NexPoint Advisors, L.P., The Dugaboy Investment Trust, Get Good Trust, and NexPoint Real Estate Partners, LLC, f/k/a HCRE Partners, LLC, a Delaware Limited Liability Company's for Final Appealable Order and Supplement to Motion to Recuse Pursuant to 28 U.S.C. §455 and Brief in Support*, Dkt. 3479 in Case No. 19-34054-sgj11, dated September 1, 2022.

15. Attached as **Exhibit 14** to the Appendix is a true and correct copy of *Movants' Amended Memorandum of Law in Support of Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455*, Dkt. 3571 in Case No. 19-34054-sgj11, dated October 17, 2022.

16. Attached as **Exhibit 15** to the Appendix is a true and correct copy of *Memorandum Opinion and Order Denying "Amended Renewed Motion to Recuse Pursuant to 28 U.S.C. §455,"* Dkt. 3676 in Case No. 19-34054-sgj11, dated March 6, 2023.

Dated: July 10, 2023.



Deborah Deitsch-Perez

CERTIFICATE OF SERVICE

I certify that on July 10, 2023, a true and correct copy of the foregoing document was served via the Court's Electronic Case Filing system to the parties that are registered or otherwise entitled to receive electronic notices in this proceeding.

/s/ Deborah Deitsch-Perez
Deborah Deitsch-Perez